

CONFIDENTIAL

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OS REGISTRY

FILE *Legal 3*
EO-12036

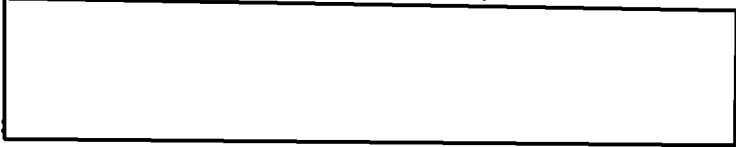
Section 2

2-203

MEMORANDUM FOR: Chief, Policy & Coordination Staff, DDO
Assistant for Information, DDA
Special Assistant, DDS&T
Director of Central Reference, NFAC

STAT

FROM


Assistant General Counsel

SUBJECT

: Procedures Relating to Certain Surreptitious and
Continuous Electronic or Mechanical Monitoring

1. Attached is a draft set of Attorney General procedures relating to surreptitious and continuous electronic monitoring by the Agency of any persons within the United States or any United States person abroad. The procedures are required to implement section 2-203 of Executive Order 12036.

2. As these restrictions are new to this Executive Order, the attached procedures have been drafted without the guidance of any previously approved procedures. However, as the philosophy of the restrictions is similar to that relating to physical searches, the attached draft was modeled to some extent after those.

3. Appropriate definitions were added from two sources: (1) Executive Order 12036 and (2) the current electronic surveillance procedures. These definitions are identical to those for the physical search procedures. A definition of "use..." (paragraph 15a) is proposed to exclude certain legitimate Agency activities.

4. I would propose to meet with all interested parties to discuss this draft on Thursday, 16 February at 10:00 in the DDA conference room. The final Agency draft is due at the Department of Justice on Friday, 17 February.

25X1

Attachment

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